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UNCLAS SECTION 01 OF 02 KHARTOUM 000785

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SUBJECT: SUDANESE ELECTIONS DATE TO SLIDE TO APRIL 2010

REF: A) KHARTOUM 739
B) KHARTOUM 714
C) KHARTOUM 696
D) KHARTOUM 578
E) KHARTOUM 400
F) KHARTOUM 223

1.(SBU) On June 24, National Electoral Commission (NEC) Deputy Chairman Professor Abdalla Mohamed Abdalla told poloffs that because release of the 2008 national census results was delayed, Sudanese elections will likely shift from February 2010 to April 2010 (refs A and C). According to Abdalla, the NEC based its initial electoral timetable, which called for national elections to take place from February 1-15, 2010, on the Government of National Unity's (GNU's) intent to release census data to the NEC by April 15, 2009. Disagreement and controversy between the Government of National Unity (GNU) and the Government of Southern Sudan (GoSS) over the census results significantly delayed their roll-out and prevented the NEC from meeting its first electoral target - demarcation of electoral constituencies by mid-May 2009 (refs E and F).

12. (SBU) The NEC Deputy Chairman conceded that all other deadlines, including voter registration and balloting, also will be affected by this late start. In order to avoid disenfranchising voters due to the onset of the rainy season, Abdalla explained that voter registration will shift to late October 2009 (in lieu of June 2009) and continue for 30 days. Abdalla said that during the July-early October rainy season, the NEC and the election high committees will focus on voter and civic education, as well as education of election agents. The Deputy Chair noted that the NEC already has begun to liaise with Sudan's security agencies to prepare a safe electoral environment, and added that discussion of electoral security will continue throughout the rainy season. He told poloffs that with the latest shift in the election timetable, balloting likely will begin in early April 2010. He noted that Commission members still are discussing all date shifts, but that a public announcement of a new election date would likely be released next week.

13. (SBU) The U.S.-educated Deputy Chairman, who served as the Sudanese Ambassador to the U.S. in the early 90s, proudly noted that the NEC has successfully delimited national constituencies based on the census data and had completed the establishment of all state high election committees and the Southern Sudan High Election Committee (ref C). He expressed concern that, although the final results have been announced, the GNU and Government of Southern Sudan (GoSS) still have not fully agreed on the census outcome. If the parties strike a political deal to adjust census figures, minor modifications to the make-up of constituencies will have to be made, he said.

14. (SBU) Abdalla proudly noted that the NEC has received no negative feedback on the selection of the members of the high committees, who are "highly educated" and are mostly retired judges,

teachers, and police officers. Each state high committee consists of five members: a Chairman and four officers, as well as a senior elections expert. According to Abdalla, the committees are beginning to recruit their own staff. The Deputy Chairman also noted that the UN is purchasing two vehicles for each of the 26 committees to carry out their work.

15. (SBU) Poloff asked Abdalla about the capacity of the Khartoum-based NEC. "We have been very selective in whom we have chosen to advise us, thus we have not expanded quickly," he said. "Now that the electoral process is accelerating, we will need to recruit more staff," he added. Currently, the nine-member NEC has seven advisors working with it on various issues such as domestic observation, voter registration, donor coordination, media, and training. This is in addition to the assistance provided to the NEC by the UN, the USG through the International Federation of Electoral Systems (IFES), and other international donors. [Note: The NEC has been heavily criticized by the UN for its "shocking" lack of capacity, which the UN says hampers the Commission from being able to work on high-level electoral policy decisions and instead bogs it down in dealing with technical details. End Note.] (ref D)

16. (SBU) Professor Abdalla told poloffs that in accordance with the Political Parties Act, 69 political parties are currently officially registered to compete in the upcoming elections. [Note: More parties are likely to follow suit. End note.] He characterized the Commission's communication with the parties as good, stating that the NEC has held forums to meet with all the parties, and has never turned down a request to meet with a party on an individual basis. "All, I believe, have a positive impression of the NEC," stated Abdalla. He noted that the parties' chief complaints about the upcoming electoral process are what they describe as the repressive

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electoral environment (particularly if a reformed national security law is not adopted prior to elections,) the inability of full elections to take place in Darfur, and the parties' lack of resources to campaign effectively.

17. (SBU) Poloff asked Abdulla for his impression of the recently adopted press/media law. The latter has been severely criticized by international media watchdog groups for retaining what they view as oppressive measures on the press, even though the law is intended to create a freer media environment. Abdulla noted that the new law is a good step in providing expanded freedom to the press/media. He added that Chapter 11 of the National Electoral Act itself also provides protection to press/media during the electoral campaign. As the National Assembly closed its session on June 24 and will not reopen until October 2009, poloff asked Abdulla if he was concerned that the parties had not agreed upon a reformed national security law. The Deputy Chair responded that he was "not that worried" about it, again because the electoral law protects the campaign process from government interference. Furthermore, Abdalla said that the NEC has the power to call for and encourage the GNU to have a "low profile" during elections so as not to inhibit or intimidate during the process.

18. (SBU) Comment: While the NEC has made some progress in terms of delimiting national constituencies and establishing state and the Southern Sudan high election committees, its capacity remains low. It will need to quickly ramp up its manpower if it is to plan and carry out voter registration effectively in October 2009. That the elections will be delayed past the NEC's originally-announced date of February 2010 comes as no surprise, given the Commission's slow start, inadequate funding from the GNU, and reliance upon the Presidency to release census results - which remain in dispute and continue to be the subject of North-South political wrangling. Fortunately, the NEC's new notional calendar puts both voter registration and balloting squarely in the dry season, making both events accessible to voters throughout Sudan, barring any political interference or intimidation. The inadequate legal and operational environment to facilitate free and fair elections remains a major concern for Sudanese opposition parties, civil society, the electorate, and international donors to the elections process. Serious reforms to the national security law must be enacted before the campaigning and polling season in order to allow parties,

candidates and voters to speak freely and express their will. We should also expect that if the elections calendar continues to slip, it will jeopardize planning for the 2011 referenda for Southern Sudan and Abyei and the popular consultations in Blue Nile and Southern Kordofan.

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